

La. R.S. 37:3651. Licensure for individuals with military training and experience; licensure by endorsement for military spouses and dependents

A. Notwithstanding any other provision of law to the contrary, a professional or occupational licensing board shall issue a license, certification, permit pending normal license, or registration to a member of the military, including United States Department of Defense civilian employees who have been assigned to duty in Louisiana, or an applicant who is married to or is a dependent of a member of the military or a United States Department of Defense civilian employee, if the member or United States Department of Defense civilian receives military orders for a change of station to a military installation or assignment located in this state or if the member or United States Department of Defense civilian has established this state as his state of legal residence as reflected in the member's or United States Department of Defense civilian's military record if, upon application to the board, the applicant satisfies all of the following conditions:

(1) The applicant holds a current and valid occupational license in another state in an occupation with a similar scope of practice, as determined by the board in this state.

(2) The applicant has held the occupational license in the other state for at least one year.

(3) The applicant has passed any examinations, or met any education, training, or experience standards as required by the board in the other state.

(4) The applicant is held in good standing by the board in the other state.

(5) The applicant does not have a disqualifying criminal record as determined by the board in this state under the laws of this state.

(6) The applicant has not had an occupational license revoked by a board in another state because of negligence or intentional misconduct related to the applicant's work in the occupation.

(7) The applicant did not surrender an occupational license because of negligence or intentional misconduct related to the person's work in the occupation in another state.

(8) The applicant does not have a complaint, allegation, or investigation pending before a board in another state which relates to unprofessional conduct or an alleged crime. If the applicant has a complaint, allegation, or investigation pending, the board in this state shall not issue or deny an occupational license to the applicant until the complaint, allegation, or investigation is resolved, or the applicant otherwise satisfies the criteria for licensure in this state to the satisfaction of the board in this state.

(9) The applicant pays all applicable fees in this state.

(10) The applicant simultaneously applies for a permanent license; if the applicant fails to qualify for a permanent license as determined by the occupational or licensing board once the permanent application is vetted, the permit automatically terminates.

B. Notwithstanding any other provision of law, a professional or occupational licensing board shall issue an occupational license, permit pending normal license, or government certification to an applicant who is a member of the military, or an applicant who is married to or is a dependent of a member of the military or United States Department of Defense civilian employee who has been assigned duty in Louisiana, upon application based on work experience in another state, if all of the following apply:

(1) The applicant worked in a state that does not use an occupational license or government certification to regulate a lawful occupation, but this state uses an occupational license or government certification to regulate a lawful occupation with a similar scope of practice, as determined by the board in this state.

(2) The applicant worked for at least three years in the lawful occupation.

(3) The applicant satisfies the requirements of Paragraphs (A)(6) through (10) of this Section.

C. Notwithstanding any other provision of law, a professional or occupational licensing board shall issue an occupational license, permit pending normal license, or government certification to an applicant who is a member of the military or a United States Department of Defense civilian employee who has been

assigned duty in Louisiana, or an applicant who is married to or is a dependent of a member of the military or a United States Department of Defense civilian employee, based on holding a private certification and work experience in another state, if all of the following apply:

(1) The applicant worked in a state that does not use an occupational license or government certification to regulate a lawful occupation, but this state uses an occupational license or government certification to regulate a lawful occupation with a similar scope of practice, as determined by the board in this state.

(2) The applicant worked for at least two years in the lawful occupation.

(3) The applicant holds a current and valid private certification in the lawful occupation.

(4) The private certification organization holds the applicant in good standing.

(5) The applicant satisfies the requirements of Paragraphs (A)(6) through (10) of this Section.

D. Notwithstanding any other law, the education, training, or experience requirements for an occupational license issued pursuant to this Title are completely or partially satisfied, as determined by the regulating occupational licensing board on presentation of satisfactory evidence that the applicant received comparable education, training, or experience as a member of the United States armed forces or any national guard or other reserve component.

E. The board may require a person to pass a jurisprudential examination specific to relevant state laws that regulate the occupation if an occupational license or government certification in this state requires a person to pass a jurisprudential examination specific to relevant state statutes and administrative rules that regulate the occupation.

F. The board will provide the applicant with a written decision regarding the application for an occupational license within thirty calendar days after receiving an application.

G.(1) The applicant may appeal any of the following decisions made by the board, in a court of general jurisdiction:

(a) Denial of an occupational license.

(b) Determination of the occupation.

(c) Determination of the similarity of the scope of practice of the occupational license issued.

(d) Any other determinations made pursuant to this Section.

(2) The court shall determine all questions of law, including the interpretation of a constitutional or statutory provision or a rule adopted by a board, without regard to any previous determination that may have been made on the question in any action before the board.

H. A person who obtains a permit pending normal license, occupational license, or government certification pursuant to this Section is subject to all of the following:

(1) The laws regulating the occupation in this state.

(2) The jurisdiction of the board in this state.

I. This Section does not apply to an occupation regulated by the state supreme court.

J. This Section preempts laws by township, municipal, county and other governments in the state which regulate occupational licenses and government certification.

K. A professional or occupational licensing board shall adopt rules in accordance with the Administrative Procedure Act necessary to implement the provisions of this Section.

L. Nothing in this Section shall be construed to prohibit a military-trained applicant or military spouse or spouse of a United States Department of Defense civilian employee who has been assigned to duty in Louisiana from proceeding under the existing licensure, certification, or registration requirements established by a professional or occupational licensing board in this state.

M. For the purposes of this Section, "professional or occupational licensing board" shall mean any state agency, board, commission, or substantially similar entity, involved in the licensing, certification, or registration of any regulated profession or occupation within this state.

N. For the purposes of this Section, "military" means the armed forces or reserves of the United States, including the Army, Navy, Marine Corps, Coast Guard, Air Force, and the

reserve components thereof, the National Guard of any state, the Military Reserves of any state, or the naval militia of any state.

O. For the purposes of this Section, "dependent" means a resident spouse or resident unmarried child under the age of twenty-one years, a child who is a student under the age of twenty-four years and who is financially dependent upon the parent, or a child of any age who is disabled and dependent upon the parent.

P. The provisions of this Section shall not apply to any applicant receiving a dishonorable discharge or a military spouse whose spouse received a dishonorable discharge.

Q. The provisions of this Section shall not apply to a license issued and regulated under the authority of the judicial branch of government, to any person covered under the Nurse Licensure Compact, or to any person that obtains licensure or registration on a nationwide licensing or registry system.

Acts 2012, No. 276, §1; Acts 2016, No. 616, §1; Acts 2020, No. 200, §1, eff. Jan. 1, 2021.